

Seminole County

Planning and Development Department

Community Development

Disability Advisory Council

Bylaws

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BY-LAWS
SEMINOLE COUNTY FLORIDA
DISABILITY ADVISORY COUNCIL

Adopted _____

Article I - Name, Description and Location

The name of this Council shall be SEMINOLE COUNTY DISABILITY ADVISORY COUNCIL (herein referred to as the “DAC”), a Council under the Laws of Seminole County of the State of Florida, and recognized as the local Disability Advisory Council for Seminole County, Florida, the proper body to carry out the purpose and functions set forth in these Bylaws. The Planning and Development offices of Seminole County located at 1101 E. First Street, Sanford, Florida provides staff support for the DAC.

Article II - Background, Duties and Responsibilities of the DAC

1. Background

The DAC was created by Resolution Number _____ on _____ by the Board of County Commissioners [herein referred to as the BCC] for the purpose of providing citizen input to the BCC about related living and life conditions that affect the disable community.

2. Duties and Responsibilities

The DAC shall have the following functions, powers and responsibilities:

1. Providing input to the BCC on complaints lodged by the disabled community.
2. Addressing problems of the disabled in accessing County public accommodations and services and making recommendations to the BCC in connection with these problems.
3. Recommending priority-funding needs of the disabled to the BCC and other entities as directed by the DAC.
4. Identifying areas for collaboration and partnership between government and private business for the delivery of services to the disabled and making recommendations to the BCC in connection with these areas.
5. Developing a better awareness of the abilities and needs of the disabled.
6. Coordinating with designated Seminole County Human Resources staff regarding issues involving Seminole County's employment of the disabled, including issues pertaining to the provision of a reasonable accommodation and other placement issues affecting the disabled.
7. Providing assistance to the County's EEO/Professional Standards staff as requested in regard to complaints of discrimination against the disabled and issues pertaining to the County's compliance with laws related to the disabled.
8. Coordinating with designated county staff to address the disabled accessibility to all newly constructed county public buildings and to encourage the modification of older county facilities to better meet the needs of the disabled community.

9. Providing the BCC an awareness of related and/or pending legislation and/or concerns, which affects the living and life conditions of the disabled community through letters and/or presentations to the BCC Chairman and the BCC.

Article III - Background, Duties and Responsibilities of the DAC

The DAC adopts the term “*A disability*” as defined in the Americans with Disabilities Act (ADA), 42 USC S12102 (2), as it may be amended or replaced from time to time, which states:

The term “*A disability*” means with respect to an individual- -

- (a) a physical or mental impairment that substantially limits one or more of the major life activities of such individual;
- (b) a history or record of such an impairment; or
- (c) who is perceived by others as having such an impairment.

Article IV - Membership

The DAC will be comprised of twelve (12) members. Ten of the members will each respectively represent two of the five (5) county districts and will be appointed by each BCC district commissioner. Two (2) members shall be appointed by the DAC as alternate members. The membership composition is intended to reflect citizens affected by a diversity of disabilities.

1. Eligibility

Eligibility for DAC membership shall include:

- a. Evidence of an interest and desire to be involved in the various activities of the DAC.
- b. Knowledge of the ADA and community needs.
- c. Resident of Seminole County
- d. A registered voter (This requirement can be waived by the BCC.)
- e. Each candidate is required to submit a completed application to the Seminole County DAC Membership Committee (SCDACMC) and be reviewed and recommended by the SCDACMC as a prospective member of the DAC.
- f. Prospective member applications and recommendations shall then be brought before the commissioner having a vacancy for appointment by the DAC Chairperson.
- g. Members shall not be appointed to the DAC without prior approval and recommendation of the SCDACMC and the DAC.

2. Terms

- A. Members shall serve for terms of two (2) years. Terms shall expire on September 30.
- B. Members of the DAC are volunteers and shall serve without compensation.
- C. A member of the DAC shall not serve more than (two) consecutive full Terms. This restriction may be waived to allow additional terms by approval of the BCC.
- D. All members of the DAC serve at the pleasure of their appointing County Commissioner or Chairman.
- E. A member may be recommended to the County Chairman and BCC for removal by the DAC without cause and without entitlement to a hearing upon a vote of five (5) members of the DAC.

3. Attendance, Absences, and Vacancy

- A. Any advisory DAC member who has been absent from three (30 consecutive meetings or twenty-five percent (25%) of the regular scheduled meetings in a calendar year may be removed and replaced by the Board of County Commissioners for this cause.
- B. A member shall be considered absent, if not present during fifty percent (50%) of more of the duration of a meeting.
- C. A vacancy shall occur thirty (30) days after the County Chairman is notified of the absenteeism by County staff or by the DAC Chairperson.

Addendum information for alternate information:

4. Alternate Members

- A. Any advisory DAC member who finds he or she is unable to attend a meeting(s) may request for the DAC to approve their selection of one qualified associate as alternate to represent them in their absence up to two (2) times at DAC meetings and/or at Committees or others during the tenure.
- B. Upon DAC approval, Alternates serve at the pleasure of the DAC, and as such are responsible to the DAC and do not respond or communicate directly to the BCC Chairman or the BCC. Their presence does not in any way relieve the Representative member from their attendance obligation or other responsibilities to their respective BCC Chairman or BCC Commissioner or to the DAC.
- C. An associate's name and any and all necessary membership information, per bylaws, must be submitted in writing and presented to the DAC by the requesting member for approval by a simple majority of members present at such regular meeting and prior to beginning their membership association.
- D. An associate may not serve as elected or selected DAC or Committee officers, but may so serve in their representative's place as necessary. Their presence can be counted for member in quorum. Associates are not to otherwise conflict with the rules and regulations of the BCC, Department, DAC and these Bylaws and as applicable are so governed and bound.
- E. Although not otherwise strictly bound to the attendance regulations, an associate shall be considered absent if not present during fifty percent or more of any meeting.

Article IV - Membership

1. Cause for Removal

A. Members may be removed for any of the following reason:

- (1) Change of residence out of the County
- (2) Failure to comply with the provisions enumerated in Article IX
- (3) Failure to attend mandatory number of meetings as provided in these Bylaws.
- (4) Unprofessional Behavior unbecoming a DAC Member

B. A member may be recommended for removal to the BCC, including violation of State, County or Bylaws regulations, using the following procedures.

2. Procedure for Removal

A. Prior to removal recommendation, there will be due consideration of the causes, concerns and/or health problems that preclude attendance of the individual by the DAC.

B. Certified notification of the intent to remove a member from the DAC shall be sent to the individual affected within five (5) working days of DAC knowledge of the infraction or offense they intend to promote.

C. The notification shall include a statement of cause for removal, and shall provide the affected individual(s) an opportunity to request a hearing before the DAC within (10) working days after certification date or postmark of the certified notice.

D. In the event of a hearing request, the DAC and or appropriate Committee shall convene as necessary and within ten (10) working days of receipt of

response, consider and prepare a recommendation to the DAC on the removal.

- E. If the opportunity for a hearing is declined by the affected individual(s), and/or the intent to remove is upheld and approved by the DAC, the vacancy will be filled in accordance with the procedures established herein.
- F. If the DAC recommends removal, such recommendation shall be forwarded to the BCC or BCC Chairman, along with all documentation upon which recommendation for removal was based.

Article VI - Responsibilities

Responsibilities of DAC Members shall include the following;

- A. Attend all meetings and perform all DAC duties.
- B. Adhere to the duties, responsibilities, goals and objectives of the DAC and membership as outlined in the Bylaws, Regulations, and DAC Manual.
- C. Support the work of the DAC and County and adhere to policy guidelines, rules and regulations for the organization as well as programs, services and target populations.
- D. Voluntarily circulate regularly among representative community, updated information and reports so that members can well represent the community and the DAC.
- E. Arrive at meetings on time and be prepared to participate and discuss agenda items.

F. Notify the DAC Chairperson of address and other DAC related changes upon occurrence.

G. All necessary and due care and commitment needed to perform DAC membership.

Article VII- Officers, Elections, Terms and Vacancies

The DAC officers will consist of a Chairperson and Vice Chairperson selected by the members of the DAC. These officers shall perform the duties prescribed by these Bylaws and by the parliamentary authority adopted by the DAC pursuant to these Bylaws.

1. Elections:

Elections shall be held at the September meeting, and those elected shall take office immediately.

2. Term of Office:

The term of office shall be for twelve (12) months or until subsequent selection and may be re-elected by a majority vote of the DAC to the same office for additional terms.

3. Vacancies:

Any vacancies occurring in an office because of inability or unwillingness to serve shall be filled through appointment of alternate member by the Chairperson for the remainder of the original member's appointment.

Duties of each office shall include:

4. Officers:

A. Chairman

1. Provide leadership to the DAC in planning and executing its policy, development, and oversight.
2. Perform duties as outlined in these Bylaws
3. Preside at all DAC meetings
4. Sign and execute any required communications and legal or other documentation but may delegate this authority as needed.
5. Solicit volunteers and appoint all committees and committee chairpersons all subject to DAC approval.
6. Serve as ex-officio member of all committees
7. Represent the DAC as necessary and assist in developing and/or making presentations to the Seminole County Chairman, the BCC and any community agencies.

8. Encourage DAC members to participate in DAC business and in developing community support and awareness of the skills and abilities of disabled citizens that contribute to their being effective residents.
9. Encourage all DAC members to have full participation in all DAC activities.

B. Duties of Vice-Chairperson shall include the following:

1. Assist the Chairperson in providing leadership and direction in planning policy, development and oversight of the DAC.
2. Assume Chairperson responsibilities as necessary and to perform all of the duties of the Chairperson in his/her absence.
3. Represent the Chairperson and DAC as necessary and in developing and making presentations.

Article VIII - Meetings: Regular, Special, Emergency and Quorum

The DAC shall meet regularly on the second Thursday of each month at a location or standard site of its choice.

- A. Notice to the public and DAC members of each regular meeting stating the time, place and any necessary agenda shall be given not less than five (5) working days prior to the day of the meeting.

- B. Members desiring to have items placed on the agenda should contact the Chairperson in sufficient time for the scheduled meeting but at a minimum of ten (10) days prior to the regular scheduled meeting.
- C. Special meetings will be called only when the DAC (either as the DAC Chairperson or two or more members) sees a need, and all special meetings which may be called shall be called by the Chairperson at least forty-eight (48) hours in advance. Emergency meetings may be called at the earliest convenience and as necessary upon an emergency. All such special meetings shall be reported at the regular DAC meeting.
- D. A quorum, after any properly announced meeting notification, shall be three (3) or more DAC members, which shall include at least one DAC Officer.

Article IX - Meeting Procedures and Rule of Order

The DAC will utilize any Rules of Procedure adopted by the BCC of Seminole County to govern the DAC proceedings. Robert's Rules of Order shall be used as necessary when an issue is not covered by other county or DAC regulations. Effective procedures including committees will be utilized to efficiently and effectively provide for maximum utilization of DAC resources and time.

Procedures shall also include;

- A. Citizen input enabling the DAC to make informed decision.
- B. Citizen input will be invited when properly recognized by the DAC Chairperson when providing information relevant to the issue at hand.

- C. Discussions shall be limited to the subject at hand and time limits will be allocated by the DAC Chairperson as needed.

Article X - Committees

The DAC will utilize standing and committees in order to conduct DAC business.

- A. The DAC Chairperson, with the approval of the DAC shall appoint the Standing committee members of the DAC with the exception of the Executive Committee.
 - B. Each Committee will have a minimum of three persons. The standing committees' representation shall consist of at least 2 (two) Council members.
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- I. Standing Committees may be appointed as needed and presently are as follows:
Executive, Council Membership, Accessibility_____
 - II. The Executive Committee will be comprised of the DAC officers: Chairperson, Vice Chairperson, and Staff Liaison. Its responsibilities include:
 - a) To conduct all business considered an emergency between meetings of the DAC.
 - b) To give a report of all business or meetings of the committee to the entire DAC at the next DAC meeting as an agenda item.
 - c) The Executive Committee can only take action by a majority vote of those present.
 - III. The Council Development Committee shall have the following responsibilities:

To review nominations and make nominations to the DAC of officers, members, and extended memberships.

- a) To review annually for the September meeting or other times when necessary, appointments and re-appointments of officers and members to the recommended to the DAC for further consideration.
- b) Recruitment issues.
- c) Education, training issues and program matters.
- d) Membership actions such as termination's, resignations and vacancies.
- e) Notification of resignations to the DAC.

IV. The Accessibility Committee shall have the following responsibilities;

- a) Consider and address problems of the disabled in accessing County public accommodations and services, and make recommendations and input to the DAC for solutions, and needed actions.
- b) Consider and provide for public awareness of County accessibility for the disabled.
- c) Coordinate with County Staff to address the disabled's accessibility to all new constructions and advise on bringing old facilities into compliance.

V. The Special committees (sub-committees) may be selected or appointed for a specific time and purpose, and their membership terms may vary from the bylaws by the type of committee. Such committee shall be governed by the following rules of procedure.

- A) A DAC member shall chair the committee with other members and/or volunteers assisting in conducting the committee business.
- B) These committees shall report to the DAC on a continuing basis concerning their progress until the committee's business is completed.
- C) The DAC shall consider reports from these committees as the principle basis for decisions.

Article XI - Florida Sunshine Law, Records Law and Code of Ethics

Each DAC member shall comply fully with the following regulations, legislation's and any amendments thereof.

- A) Florida Statutes, Section 286.011 (Commonly known as the Government-in-the-Sunshine Law)
- b) Florida Statutes, Chapter 119 (Commonly known as the Public Records Law)
- c) Florida Statutes, Chapter 112, Part III, to the extent it applies, the Code of Ethics for Public Officer and Employees.

Failure to comply with any of these law may be cause for removal, and further processed as in Article V.

Article XII - Adoption and Amendment

These Bylaws shall be considered adopted and/or amended upon a two-thirds (2/3) vote of the members of the DAC present at an official meeting preceded by seven (7) calendar days written notice of the proposed Bylaws to all members and shall be presented to the BCC for their information.

By: Connie J. Kreinbring, Chairperson

SEMINOLE COUNTY DISABILITY ADVISORY COUNCIL